

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

SHADNEY HAMER,

Plaintiff,

v.

CAROL GRIFFS, *et al.*,

Defendants.

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Case No. 22-12106

F. Kay Behm

United States District Judge

Kimberly G. Altman

United States Magistrate Judge

**OPINION AND ORDER ACCEPTING AND ADOPTING  
THE MAGISTRATE JUDGE’S APRIL 28, 2023  
REPORT AND RECOMMENDATION (ECF No. 68)**

Currently before the Court is Magistrate Judge Kimberly G. Altman’s April 28, 2023 Report and Recommendation. (ECF No. 68). Judge Altman recommends granting Defendant Herro’s motion to dismiss or for summary judgment. (ECF Nos. 68, 35). The court is fully advised in the premises and has reviewed the record and the pleadings. Neither party has filed objections within the time allowed. “[T]he failure to object to the magistrate judge’s report[] releases the Court from its duty to independently review the matter.” *Hall v. Rawal*, 2012 WL 3639070 (E.D. Mich. Aug. 24, 2012) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). The court nevertheless agrees with Judge Altman’s recommended disposition. Therefore, the Court **ACCEPTS** and **ADOPTS** the Magistrate Judge’s

Report and Recommendation (ECF No. 68), **GRANTS** Defendant Herro's motion to dismiss or for summary judgment (ECF No. 35), and **DISMISSES** Defendant Herro with prejudice.

**SO ORDERED.**

Date: May 22, 2023

s/F. Kay Behm

F. Kay Behm

United States District Judge